

Donilon

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

JEFFREY LAYDON, on behalf of himself and all  
others similarly situated,

Plaintiff,

- against -

MIZUHO BANK, LTD., THE BANK OF TOKYO-  
MITSUBISHI UFJ, LTD., SUMITOMO MITSUI  
BANKING CORPORATION, RESONA BANK, LTD.,  
MIZUHO CORPORATE BANK, LTD., THE BANK  
OF YOKOHAMA, LTD., MITSUBISHI UFJ TRUST  
AND BANKING CORPORATION, MIZUHO TRUST  
AND BANKING CO., LTD., THE SUMITOMO  
TRUST AND BANKING CO., LTD., CITIBANK,  
JAPAN LTD., JPMORGAN CHASE BANK, NA, THE  
ROYAL BANK OF SCOTLAND GROUP PLC,  
DEUTSCHE BANK AG., UBS AG, BNP PARIBAS  
S.A., SHINKIN CENTRAL BANK, THE SHOKO  
CHUKIN BANK, THE NORINCHUKIN BANK,  
BARCLAYS BANK PLC, HSBC HOLDINGS PLC,  
CITIBANK NA, CRÉDIT AGRICOLE CIB, LLOYDS  
BANKING GROUP PLC, SOCIÉTÉ GÉNÉRALE,  
AND RABOBANK GROUP,

Defendants.

Docket No. 1:12-cv-03419-GBD

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #  
DATE FILED: JUN 12 2012

**STIPULATION AND [PROPOSED] ORDER ADJOURNING DEFENDANTS' TIME TO  
ANSWER, MOVE TO DISMISS, OR OTHERWISE RESPOND TO PLAINTIFF'S  
COMPLAINT**

Plaintiff Jeffrey Laydon ("Plaintiff") and defendant HSBC Holdings, plc  
("HSBC"), by and through their respective undersigned counsel, subject to this Court's approval  
and to the reservation of rights contained in paragraph 4 below, agree and stipulate as follows:

{2545 / STIP / 00113048.DOCX v1}

**RECITALS**

WHEREAS, on April 30, 2012, Plaintiff Jeffrey Laydon commenced this action in this District by the filing of a summons and complaint (the "complaint") against the defendants herein;

WHEREAS, Plaintiff has commenced efforts to effect service of the complaint upon the defendants;

WHEREAS, certain defendants have agreed to waive service of the complaint pursuant to Rule 4(d) of the Federal Rules of Civil Procedure ("Fed. R. Civ. P."), and efforts to effect service of the complaint continue against other defendants;

WHEREAS, the various defendants' responses to the complaint would be due at various dates depending upon the dates of service;

WHEREAS, counsel for HSBC can report that counsel for the following defendants (collectively, the "Stipulation Defendants") have been identified and canvassed and support the Court's approval of this Stipulation:

- (i) The Bank of Tokyo-Mitsubishi UFJ, Ltd.;
- (ii) Mitsubishi UFJ Trust and Banking Corporation
- (iii) JPMorgan Chase Bank, NA;
- (iv) The Royal Bank of Scotland Group PLC;
- (v) Deutsche Bank AG;
- (vi) UBS AG;
- (vii) BNP Paribas S.A.;
- (viii) The Norinchukin Bank;
- (ix) Barclays Bank PLC;
- (x) HSBC;
- (xi) Citibank NA;
- (xii) Credit Agricole CIB;
- (xiii) Lloyds Banking Group PLC;
- (xiv) Société Générale; and
- (xv) Sumitomo Mitsui Banking Corporation.

WHEREAS, this Stipulation shall apply to the Stipulation Defendants, unless counsel for a particular Stipulation Defendant indicates otherwise, and it shall also apply to any

other defendants who notify Plaintiff's counsel in writing or by email that they would like to join this Stipulation (in which event such other joining defendants shall also be a "Stipulation Defendant");

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows:

1. Subject to the reservation of rights contained in paragraph 4 below, the Stipulation Defendants agree to waive service of Plaintiff's complaint in this action pursuant to Fed. R. Civ. P. 4(d).
2. The Stipulation Defendants' time to answer, move to dismiss or otherwise respond to the complaint is hereby adjourned *sine die* and shall be determined by a later stipulation between the parties or Order of the Court.
3. This Stipulation shall not act to shorten the time for response of any defendant that would otherwise have a longer time to respond to the complaint pursuant to the Federal Rules of Civil Procedure or any applicable local rules, and shall be without prejudice to any defendant's right to seek, and Plaintiff's right to oppose, an additional extension of time to respond to the complaint in this action.
4. Except as to the defense of insufficiency of service of process in this action, no defense of any of the Stipulation Defendants, including without limitation defenses based upon lack of personal jurisdiction, is prejudiced or waived by such defendant's executing, agreeing to, joining, or filing this Stipulation.
5. This Stipulation may be executed in separate counterparts, and counterparts may be executed in facsimile form, each of which shall be an original.

Dated: June 6, 2012

**LOWEY DANNENBERG COHEN**


**& HART, P.C.**



Vincent Briganti  
Geoffrey Horn  
One North Broadway  
White Plains, New York, 10601  
Tel.: (914) 997-0500  
Fax: (914) 997-0035

*Attorneys for Plaintiff Jeffrey Laydon*

**LOCKE LORD LLP**



Edwin R. DeYoung  
2200 Ross Avenue, Suite 2200  
Dallas, Texas 75201-6776  
Tel.: (214) 740-8000  
Fax: (214) 740-8800

Gregory T. Casamento  
Three World Financial Center  
New York, New York 10281-2101  
Tel.: (212) 415-8600  
Fax: (212) 303-2754

*Attorneys for HSBC Holdings, plc*

**SO ORDERED.**

DATED:

JUN 12 2012

New York, New York



HON. GEORGE B. DANIELS  
United States District Judge

GEORGE B. DANIELS